

Message Text

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ACTION ARA-10

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FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 861

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FOR USOAS ARA AND L

E.O. 11652: N/A

TAGS: OCON, OAS

SUBJECT: SAN JOSE CONFERENCE - RIO TREATY, ARTICLES 3 & 6

1. FOLLOWING TEXTS WERE APPROVED BY GENERAL COMMITTEE
MORNING JULY 21. (COMMENTS FOLLOW SEPTTEL.)

2. ARTICLE 3.

1. THE HIGH CONTRACTING PARTIES AGREE THAT AN ARMED
ATTACK BY ANY STATE AGAINST AN AMERICAN STATE THAT IS A
CONTRACTING PARTY SHALL BE CONSIDERED AN ATTACK AGAINST ALL
CONTRACTING PARTIES, AND, CONSEQUENTLY, EACH OF THE SAID
CONTRACTING PARTIES UNDERTAKE TO ASSIST IN MEETING THE
ATTACK IN THE EXERCISE OF THE INHERENT RIGHT OF INDIVIDUAL OR
COLLECTIVE SELF-DEFENSE RECOGNIZED BY ARTICLE 51 OF THE CHARTER
OF THE UNITED NATIONS.

2. ON THE REQUEST OF THE CONTRACTING PARTY OR PARTIES
DIRECTLY ATTACKED BY ONE OR MORE OTHER AMERICAN STATES, AND
UNTIL THE DECISION OF THE ORGAN OF CONSULTATION PROVIDED
FOR IN THIS TREATY, EACH ONE OF THE CONTRACTING PARTIES
MAY DETERMINE, DEPENDING ON THE CIRCUMSTANCES, THE IMMEDIATE
MEASURES WHICH IT MAY INDIVIDUALLY TAKE IN FULFILLMENT OF
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THE OBLIGATION CONTAINED IN THE PRECEDING PARAGRAPH.

3. IN THE EVENT OF ARMED ATTACK OF EXTRACONTINENTAL ORIGIN AGAINST ONE OR MORE CONTRACTING PARTIES, AND UNTIL A DECISION IS TAKEN BY THE ORGAN OF CONSULTATION, EACH CONTRACTING PARTY MAY DETERMINE, AT THE REQUEST OF THE PARTY OR PARTIES ATTACKED AND ACCORDING TO THE CIRCUMSTANCES, THE IMMEDIATE MEASURES IT MAY TAKE IN THE EXERCISE OF ITS RIGHT OF INDIVIDUAL OR COLLECTIVE SELF-DEFENSE IN ACCORDANCE WITH ARTICLE 51 OF THE CHARTER OF THE UNITED NATIONS AND THE OBLIGATION CONTAINED IN PARAGRAPH 1 OF THIS ARTICLE.

4. FOR THE PURPOSES OF PARAGRAPHS 2 AND 3, THE ORGAN OF CONSULTATION SHALL MEET WITHOUT DELAY, ON CONVOCAATION BY THE CHAIRMAN OF THE PERMANENT COUNCIL, IN ORDER TO EXAMINE SUCH IMMEDIATE MEASURES AS MAY HAVE BEEN TAKEN BY THE STATES PARTIES IN ACCORDANCE WITH PARAGRAPH 1 OF THIS ARTICLE AND TO AGREE ON THE COLLECTIVE MEASURES THAT MAY BE NECESSARY, INCLUDING THE JOINT ACTION THEY MIGHT TAKE AT THE UNITED NATIONS IN ORDER THAT THE PERTINENT PROVISIONS CONTAINED IN THE UNITED NATIONS CHARTER MAY BE GIVEN EFFECT.

5. THE PROVISIONS OF THIS ARTICLE SHALL BE APPLIED IN CASE OF ANY ARMED ATTACK AGAINST A STATE PARTY WHICH TAKES PLACE WITHIN THE REGION DESCRIBED IN ARTICLE 4 OR WITHIN THE TERRITORY UNDER THE FULL SOVEREIGNTY OF A STATE PARTY.

6. MEASURES OF SELF-DEFENSE PROVIDED FOR UNDER THIS ARTICLE MAY BE TAKEN UNTIL THE SECURITY COUNCIL OF THE UNITED NATIONS HAS TAKEN THE MEASURES NECESSARY TO MAINTAIN INTERNATIONAL PEACE AND SECURITY.

3. ARTICLE 6.

IF THE INVIOABILITY OF THE INTEGRITY OF THE TERRITORY OR THE SOVEREIGNTY OR POLITICAL INDEPENDENCE OF ANY STATE PARTY SHOULD BE AFFECTED BY AN ACT OF AGGRESSION, AS DEFINED IN ARTICLE 9 OF THIS TREATY, WHICH DOES NOT FALL UNCLASSIFIED

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WITHIN THE SCOPE OF ARTICLE 3, OR BY A CONFLICT OR SERIOUS EVENT THAT MIGHT ENDANGER THE PEACE OF THE AMERICAS, THE ORGAN OF CONSULTATION SHALL MEET IMMEDIATELY TO AGREE ON THE MEASURES THAT MUST BE TAKEN TO ASSIST THE AFFECTED STATE PARTY, AND THE MEASURES AND STEPS THAT SHOULD BE ADOPTED AND TAKEN FOR THE COMMON DEFENSE AND FOR THE MAINTENANCE OF THE PEACE AND SECURITY OF THE CONTINENT.

IF THE INVIOABILITY OR THE INTEGRITY OF THE TERRITORY OR
THE SOVEREIGNTY OR POLITICAL INDEPENDENCE OF ANY OTHER
AMERICAN STATE SHOULD BE AFFECTED BY AN ACT OF AGGRESSION
AS ESTABLISHED IN ARTICLE 9 OF THIS TREATY OR BY A
CONFLICT OR SERIOUS EVENT THAT MIGHT ENDANGER THE PEACE
OF THE AMERICAS, THE ORGAN OF CONSULTATION SHALL MEET
IMMEDIATELY TO AGREE ON THE MEASURES AND STEPS THAT
SHOULD BE TAKEN FOR THE COMMON DEFENSE AND FOR THE
MAINTENANCE OF THE PEACE AND SECURITY OF THE CONTINENT.
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